

MINNESOTA ENVIRONMENTAL QUALITY BOARD



NOTICE OF PUBLIC HEARING:

CANNON FALLS ENERGY CENTER

Wednesday, December 1, 2004

3:00 p.m. and 7:00 p.m.

PUBLIC MEETING ROOM

CITY HALL

306 Mill Street West

Cannon Falls, MN

EQB Docket No. 04-85-PPS-Cannon Falls EC

PLEASE TAKE NOTICE that the Minnesota Environmental Quality Board (EQB) will hold a Public Hearing on an application by Invenergy Cannon Falls, LLC to construct and operate a natural gas-fuel, simple-cycle electric generating facility capable of producing 357 megawatts. The proposed plant is to be located at the Business Park North district of Cannon Falls, Minnesota. The natural gas pipeline and HVTL will be permitted through separate processes.

The public hearing will be held on **Wednesday, December 1, 2004**, in the City of Cannon Falls' public meeting room located at city hall. The hearing will convene at 3:00 pm and an evening session will be held commencing at 7:00 p.m.

Administrative Law Judge Katherine Sheehy will preside at the hearing. Judge Sheehy's address is Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, phone 612.341.7602.

Environmental Assessment The EQB has prepared an Environmental Assessment on the proposed project. The EA addresses the potential impacts of the proposed project. Copies of the environmental assessment, permit application and other materials can be obtained from the EQB web site

<http://www.eqb.state.mn.us/Docket.html?Id=7679>

or by contacting the project manager, Bill Storm (bill.storm@state.mn.us) 300 Centennial Bldg., 658 Cedar Street, St. Paul, MN 55155, telephone 651.296.9535, facsimile 651.296.3698 (TTY relay service 800.627.3529). Copies of the environmental assessment and permit application are also available for public review at the Cannon Falls City Hall.

Conduct of Hearing The hearing will be conducted in accordance with the requirements of the Power Plant Siting Act, Minn. Stat. §§ 116C.51 to 116C.69, and the rules of the Minnesota Environmental Quality Board, Minn. Rules parts 4400.2000 to 4400.2950, for projects of the size and type proposed here.

The EQB staff will be present at the hearing and make a brief presentation about the project and introduce into the record a number of documents relating to the project, including the application, the Environmental Assessment, and certain procedural documents. Representatives of the applicant will be present to offer evidence and to answer questions. Members of the public will have an opportunity to ask questions of EQB staff and Invenergy representatives, to make statements, and to offer written comments and material into the record at both the afternoon and evening sessions. Members of the public are not required to file any papers in advance of the hearing in order to participate.

The record will remain open for at least ten days after the close of the hearing for interested persons to submit written comments to the Administrative Law Judge. Judge Sheehy will determine at the hearing a date for the comment period to end. Comments must be submitted directly to Judge Sheehy at the address above.

Purpose of Hearing The purpose of the public hearing is to compile the record for the EQB to consider in making a final decision on the permit requested. Upon closure of the public comment period, Judge Sheehy will write a report and make a recommendation to the EQB on the granting of the site permit and on any appropriate permit conditions. It is anticipated that the application will come before the EQB for a final decision on the permit at its January, 2006, Board meeting.

Public Utilities Commission Proceeding. Invenergy has committed all of the electricity generated to Xcel Energy through the bidding process approved by the Minnesota Public Utilities Commission (MPUC) in that utility's resource planning process. An electric power plant selected in a bidding process approved by the MPUC is exempt from the certificate of need process (Minn. Stat. § 216B.2422, subd. 5). Invenergy, therefore, will not be required to file for a CON from the MPUC for the Cannon Falls Energy Center.

Additional Information Questions about the EQB process can be directed to Bill Storm of the EQB staff at 658 Cedar Street, 300 Centennial Building, Saint Paul, Minnesota 55155, phone 651.296.9535, e-mail at Bill.Storm@state.mn.us

Mailing List Any person may add his or her name to a mailing list maintained by the EQB for future mailings regarding this project. If you would like to receive notice of the EQB's final decision in this matter, you may put your name on this mailing list. Names can be added to the list by contacting Mr. Storm or electronically by visiting the EQB website:

<http://www.mnplan.state.mn.us/maillinglist.html>